

**PROFESSIONAL LICENSING AND REGULATION BUREAU[193]**

**Adopted and Filed**

**Rule making related to organization and operation**

The Professional Licensing and Regulation Bureau hereby amends Chapter 1, “Organization and Operation,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 546.3 and 546.10.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapters 542, 542B, 543B, 544A, 544B and 544C and section 546.10.

*Purpose and Summary*

The Professional Licensing and Regulation Bureau of the Banking Division coordinates the functions of six professional licensing boards. Chapter 1 describes the organization of the Bureau. These amendments update the chapter to reflect legislative changes to the Bureau and its boards. The amendment relating to the composition of the Engineering and Land Surveying Examining Board reflects a change made in 2018 Iowa Acts, House File 2382. The amendment relating to the Architectural Examining Board changes the terminology from “registered” to “licensed” as a result of 2017 Iowa Acts, Senate File 408. The change of title from “registered” to “professional” relating to the membership of the Landscape Architectural Examining Board reflects the terminology used in Iowa Code section 544B.3. Striking the subrule providing for the Real Estate Appraiser Examining Board is the result of 2016 Iowa Acts, House File 2436. The amendment in Item 4 allows for staff to remove abandoned applications from the licensing database.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 26, 2018, as **ARC 4007C**. A public hearing was held on October 16, 2018, at 9 a.m. at 200 East Grand Avenue, Suite 350, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Accountancy Examining Board on December 13, 2018; the Architectural Examining Board on November 15, 2018; the Engineering and Land Surveying Examining Board on November 14, 2018; the Interior Design Examining Board on November 13, 2018; the Landscape Architectural Examining Board on December 13, 2018; and the Real Estate Commission on November 1, 2018.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Bureau for a waiver of the discretionary provisions, if any, pursuant to 193—Chapter 5.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### *Effective Date*

This rule making will become effective on February 20, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend rule 193—1.4(546) as follows:

**193—1.4(546) Purpose of the bureau.** The bureau exists to coordinate the administrative support for the following ~~seven~~ six professional licensing boards:

**1.4(1)** The engineering and land surveying examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of ~~four~~ three professional engineers, ~~one~~ two land ~~surveyor~~ surveyors, and two public members. The board administers Iowa Code chapter 542B, Professional Engineers and Land Surveyors, and board rules published under agency number [193C] in the Iowa Administrative Code.

**1.4(2) and 1.4(3)** No change.

**1.4(4)** The architectural examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five ~~registered~~ licensed architects and two public members. The board administers Iowa Code chapter 544A, Registered Licensed Architects, and board rules published under agency number [193B] in the Iowa Administrative Code.

**1.4(5)** The landscape architectural examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five ~~registered~~ professional landscape architects and two public members. The board administers Iowa Code chapter 544B, Landscape Architects, and board rules published under agency number [193D] in the Iowa Administrative Code.

~~**1.4(6)** The real estate appraiser examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five certified real estate appraisers and two public members. The board administers Iowa Code chapter 543D, Real Estate Appraisals and Appraisers, and board rules published under agency number [193F] in the Iowa Administrative Code.~~

~~**1.4(7)**~~ **1.4(6)** The interior design examining board is a seven-member board appointed by the governor and confirmed by the senate. It is composed of five registered interior designers and two public members. The board administers Iowa Code chapter 544C, Registered Interior Designers, and board rules published under agency number [193G] in the Iowa Administrative Code.

ITEM 2. Amend rule 193—1.9(272C,542,542B,543B,543D,544A,544B,544C), parenthetical implementation statute, as follows:

**193—1.9(272C,542,542B,543B,543D,544A,544B,544C) Applicant contact information.**

ITEM 3. Amend rule 193—1.10(272C,542,542B,543B,543D,544A,544B,544C), parenthetical implementation statute, as follows:

**193—1.10(272C,542,542B,543B,543D,544A,544B,544C) Newsletter.**

ITEM 4. Adopt the following new rule 193—1.11(272C,542,542B,543B,544A,544B,544C):

**193—1.11(272C,542,542B,543B,544A,544B,544C) Applications.** Unless otherwise regulated by an individual board's rules, abandoned applications shall be deemed withdrawn. An application is abandoned if the applicant has not accessed or modified the application through the bureau's electronic licensing database within the preceding six months.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/16/19.